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19 UNITED STATES DISTRICT COURT
20 DISTRICT OF NEVADA (RENO)

21 PATRICK H. MCGUIRE, an individual)

22 and LISA ANN MCGUIRE, an individual,)

23 Plaintiffs,)

24 vs.)

25 ANNE MARIE CAREY, an individual,)

26 CAREY TRUST, a testamentary trust,)

27 ANTONETTE D. SHAW, an individual,)

28 MAXED PROFESSIONALS, LLC, a)

Nevada limited liability company;)

Nevada limited liability company;)

RE/MAX, LLC, a Delaware limited)

liability company; and RE/MAX)

HOLDINGS, INC., a Delaware)

corporation; JOSEPH HENRY, in his)

individual capacities; and THE CITY OF)

RENO, a municipal entity.)

Defendants.)

CASE NO. 3:20-cv-00249-RCJ-CLB

ORDER TO STAY RE/MAX, LLC'S
RESPONSE TO THE CAREY
DEFENDANTS' CROSSCLAIMS

COME NOW Defendants/Cross-Claimants Anne Marie Carey and the Carey Trust (“the Carey Defendants”) and Defendant RE/MAX, LLC (“RML”) who together jointly stipulate to the stay of RML’s response to the crossclaims asserted by the Carey Defendants, and jointly move this Court to so order. In support of the Joint Stipulation, these parties represent:

1. As part of their Answer to the Plaintiffs’ Verified Second Amended Complaint (ECF No. 17) (“SAC”), the Carey Defendants asserted crossclaims against other defendants, including but not limited to RML. (ECF No. 46).

2. In response to Plaintiffs’ SAC, Defendant RML filed its Motion to Dismiss the Plaintiffs’ claims pursuant to FRCP 12(b)(2) and 12(b)(6) (ECF. No. 24).

3. RML’s Motion to Dismiss is fully briefed and pending before this Court.

4. The causes of action against RML in the Carey Defendants’ crossclaim mirror the causes of action against RML in the SAC.

5. The issues raised by RML pursuant to FRCP 12(b)(2) and 12(b)(6) in the pending Motion are the same issues that RML would raise in response to the Carey Defendants’ crossclaims against RML.

6. Accordingly, resolution of the issues raised in RML’s Motion to Dismiss the McGuires’ claims against RML may be dispositive of some or all of the Carey Defendants’ crossclaims against RML.

7. Thus, in the interest of judicial efficiency, the undersigned jointly stipulate to a stay of RML’s response to the Carey Defendants’ crossclaims against RML, pending resolution of RML’s pending Motion to Dismiss the claims of Plaintiffs (ECF No. 24).

8. Defendant RML makes a limited appearance in regard to the Carey Defendants’ crossclaims only to seek this Stipulation, and by so doing does not intend to waive its objection to

1 personal jurisdiction over either the McGuire claims or the Carey Defendants' crossclaims
2 pursuant to FRCP 12(b)(2).

3 **WHEREFORE**, Defendants/Cross-Claimants, Anne Marie Carey and the Carey Trust,
4 and Defendant, RE/MAX, LLC, jointly request that this Court order a stay of RML's response to
5 the Carey Defendants' crossclaims, pending resolution of RML's Motion to Dismiss the claims of
6 Plaintiffs. (ECF No. 24).
7

8 DATED this 14th day of August 2020.
9

10 /s/Stephanie Rice
11 Stephanie Rice, Esq.
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19 -with-

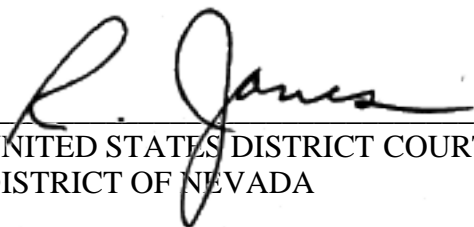
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27 RE/MAX, LLC and RE/MAX HOLDINGS, INC.
28

ORDER

Upon stipulation of the parties and good cause appearing, the terms set forth in the foregoing stipulation are hereby GRANTED.

IT IS SO ORDERED.

DATED this 1st day of September, 2020.


UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), F.D.C.R. 7.26(a), and Rule 9 of the F.E.F.C.R., I hereby certify that I am an employee of Kelly Law Partners, LLC, and on the 14th day of August 2020, a true and correct copy of the foregoing was served via electronic means with the United States District Court, District of Nevada, addressed as follows, upon the following counsel of record:

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